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## PROCESS SERVICE NOTIFICATION

To: **BALCH & BINGHAM, LLP**  
**PO BOX 78**  
**MONTGOMERY, AL 36101**

Attention: Kelly F. Pate  
Client Ref:

Date: Mar 30 2007  
Dispatcher: Angela D.  
AngelaD@abclegal.com  
800-324-5619

Tracking #: 4248935



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Servee: NIKKI PHILLIPS

Person Served: Randal Sims stepfather A male approx. 55-65 years of age 5'4"-5'6" in height weighing 180-200 lbs with brown hair

Served By: Justin Hines

Service Date: Mar 14 2007 1:30PM

Documents: NOTICE TO DEFENDANT; SUMMONS; CIVIL COVER SHEET; COMPLAINT FOR COPYRIGHT INFRINGEMENT; EXHIBITS; CORPORATE/ CONFLICT DISCLOSURE STATEMENT; REPORT ON THE FILING OR DETERMINATION OF AN ACTION OR APPEAL RE A COPYRIGHT

Service Address: 656 HILLABEE ST ALEXANDER CITY county of County ALABAMA 35010

Court: UNITED STATES DISTRICT COURT, MIDDLE DISTRICT OF ALABAMA

Case Name: ARISTA RECORDS LLC, A DELAWARE  
LIMITED LIABILITY COMPANY; ET AL.,  
vs.  
NIKKI PHILLIPS

Plaintiff / Petitioner  
Defendant / Respondant

Case Number: 3:07CV200-WHA

Hearing Date:

All documents are served pursuant to:

- A) The statutes or court rules of the jurisdiction in which the matter originates, and or
- B) The statutes or court rules of the state in which service took place, and
- C) Instructions from the customer

If service was substituted upon another person or left with a person(s) who refused to identify themselves, it is incumbent upon you, our customer, to notify ABC legal/PFI in writing if further attempts to serve, serve by mail, or investigate are required.

Information contained in this notification is deemed to be accurate and reliable, but is subject to final verification by PFI personnel.

OFFICIAL PROCESS SERVER TO  
U.S. DEPT. OF JUSTICE AND U.S. STATE DEPT.

IN THE  
UNITED STATES DISTRICT COURT, MIDDLE DISTRICT OF ALABAMA

ARISTA RECORDS LLC, A DELAWARE  
LIMITED LIABILITY COMPANY; ET AL.,

Plaintiff/Petitioner

vs.  
NIKKI PHILLIPS

Defendant/Respondent

Hearing Date:

CAUSE NO: 3:07CV200-WHA

DECLARATION OF SERVICE OF:  
NOTICE TO DEFENDANT; SUMMONS; CIVIL COVER  
SHEET; COMPLAINT FOR COPYRIGHT INFRINGEMENT;  
EXHIBITS; CORPORATE/ CONFLICT DISCLOSURE  
STATEMENT; REPORT ON THE FILING OR  
DETERMINATION OF AN ACTION OR APPEAL RE A  
COPYRIGHT

The undersigned hereby declares: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the **14th day of March, 2007, at 1:30 PM**, at the address of **656 HILLABEE Street, ALEXANDER CITY, Tallapoosa County, AL 35010**; this declarant served the above described documents upon **NIKKI PHILLIPS**, by then and there personally delivering **1** true and correct copy (ies) thereof, by then presenting to and leaving the same with **Randal Sims stepfather, A male approx. 55-65 years of age 5'4"-5'6" in height weighing 180-200 lbs with brown hair**, a person of suitable age and discretion residing at the respondent's usual place of abode listed above.

No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

Declarant hereby states under penalty of perjury under the laws of the State of **Alabama** that the statement above is true and correct.

DATED this **21st day of March, 2007**.

  
Justin Hines, AL

ABC's Client Name  
**Holme, Roberts & Owen RIAA**  
(PFI)

ORIGINAL PROOF OF  
SERVICE

ABC Tracking #: **4248935**



AO 440 (Rev. 08/01) Summons in a Civil Action

**United States District Court**  
MIDDLE DISTRICT OF ALABAMA

**ARISTA RECORDS LLC, a Delaware limited liability company; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; UMG RECORDINGS, INC., a Delaware corporation; PRIORITY RECORDS LLC, a California limited liability company; WARNER BROS. RECORDS INC., a Delaware corporation; ELEKTRA ENTERTAINMENT GROUP INC., a Delaware corporation; and ATLANTIC RECORDING CORPORATION, a Delaware corporation,**

**SUMMONS IN A CIVIL CASE**

**CASE NUMBER:**

*3:07cv 200-WHA*

**v.**

**Nikki Phillips**

**TO:**

**Nikki Phillips  
656 Hillabee Street  
Alexander City, AL 35010**

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S' ATTORNEY

**Dorman Walker (Bar # WAL086)  
Kelly F. Pate (Bar # FIT014)  
BALCH & BINGHAM LLP  
105 Tallapoosa Street, Suite 200  
P.O. Box 78 (36101)  
Montgomery, Alabama 36104**

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

*Debra P. Hackett*

CLERK

(BY) DEPUTY CLERK

*Ben Reinger*

DATE

*3/6/07*

**RETURN OF SERVICE**Service of the Summons and Complaint was made by me<sup>1</sup>

DATE

NAME OF SERVER

TITLE

*Check one box below to indicate appropriate method of service*

- ☐ Served personally upon the defendant. Place where served \_\_\_\_\_
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left \_\_\_\_\_
- ☐ Returned unexecuted \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ Other (specify) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STATEMENT OF SERVICE FEES**

TRAVEL

SERVICES

TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_

Date

\_\_\_\_\_  
*Signature of Server*\_\_\_\_\_  
*Address of Server*

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.